

**IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
WEST VIRGINIA, AT MARTINSBURG**

DALE BERNARD BEARD, JR.,

Plaintiff,

v.

**CIVIL ACTION NO.: 3:23-CV-193
HONORABLE GINA GROH**

**DANIEL E. SMITH, individually, and
ADAM ALBAUGH, individually,**

Defendants.

AMENDED NOTICE OF DEPOSITION OF DALE BERNARD BEARD, JR.

PLEASE TAKE NOTICE the Defendants, Daniel E. Smith and Adam Albaugh, by counsel, Keith C. Gamble, and the law firm of PULLIN, FOWLER, FLANAGAN, BROWN & POE, PLLC, will, on the **29th day of August, 2024 at 10:00 a.m.**, take the deposition of Dale Bernard Beard, Jr. pursuant to Federal Rules of Civil Procedure. This deposition will be held at the law offices of Pullin, Fowler, Flanagan, Brown & Poe, PLLC, located at 261 Aikens Center, Suite 301, Martinsburg, West Virginia, 25404, and will be recorded by sound, sound-and-visual, stenographic means, and/or by written questions, before a Notary Public who is not of counsel nor interested in this cause in accordance with the West Virginia Rules of Civil Procedure, at which time and place you are invited to protect your interests. The deposition will continue from day to day until such time as it is complete.

Dated this 25th day of July, 2024.

**Defendants, Daniel E. Smith, and
Adam Albaugh,**

By Counsel:

/s/ Keith C. Gamble

Keith C. Gamble, WVSB No. 7971

PULLIN, FOWLER, FLANAGAN, BROWN & POE, PLLC

Cranberry Square
2414 Cranberry Square
Morgantown, WV 26508

**IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
OF WEST VIRGINIA, AT MARTINSBURG**

DALE BERNARD BEARD, JR.,

Plaintiff,

v.

**CIVIL ACTION NO.: 3:23-CV-193
HONORABLE GINA GROH**

**DANIEL E. SMITH, individually, and
ADAM ALBAUGH, individually,**

Defendants.

CERTIFICATE OF SERVICE

The undersigned, counsel of record for Defendants, does hereby certify on this 25th day of July, 2024, that a true copy of the foregoing “***AMENDED NOTICE OF DEPOSITION OF DALE BERNARD BEARD, JR.***” was filed and served via the CM/ECF filing system and via electronic mail, as follows:

John H. Bryan, Esquire
Law Office of John H. Bryan
411 Main St.
P.O. Box 366
Union, WV 24983

/s/ Keith C. Gamble
Keith C. Gamble, WV State Bar No. 7971

PULLIN, FOWLER, FLANAGAN, BROWN & POE, PLLC
2414 Cranberry Square
Morgantown, WV 26508
Telephone: (304) 225-2200
Facsimile: (304) 225-2214
kgamble@pffwv.com